

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY	
Caption in Compliance with D.N.J. LBR 9004-1(b)	
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In re:	Chapter 11
CAREISMATIC BRANDS, LLC, <i>et al.</i> , ¹	Case No. 24-10561 (VFP)
Debtor.	(Jointly Administered)

APPELLANT'S STATEMENT OF ISSUES ON APPEAL

Pursuant to Rule 8009 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), Appellant Official Committee of Unsecured Creditors (the “Committee”) of the above-captioned debtors and debtors in possession (the “Debtors”) on behalf of itself and its post-Effective Date successor-in-interest, the GUC Trust, respectfully submits this Statement of Issues on Appeal from the *Findings of Fact, Conclusions of Law, and Order Confirming the Second Amended Joint Plan of Reorganization of Careismatic Brands, LLC and Its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code (Further Technical Modifications)* [Docket No.

¹ A complete list of each of the Debtors in these chapter 11 cases may be obtained on the website of the Debtors’ claims and noticing agent at <https://www.donlinrecano.com/careismatic>. The location of Debtor Careismatic Brands, LLC’s principal place of business and the Debtors’ service address in these chapter 11 cases is: 1119 Colorado Avenue, Santa Monica, California 90401.

775] (the “Confirmation Order”)² entered on May 31, 2024, by the United States Bankruptcy Court for the District of New Jersey (the “Bankruptcy Court”).

1. The Bankruptcy Court erred in determining that the GUC Trust Claims are not disbursed to the GUC Trust on the Effective Date of the Plan for purposes of calculating the statutory fees owed by the Debtors to the US Trustee for the Effective Date quarter pursuant to 28 U.S.C. § 1930(a)(6).
2. The Bankruptcy Court erred in determining that a transfer of causes of action is not a “disbursement” pursuant to 28 U.S.C. § 1930(a)(6) until such time as the causes of action are monetized and distributed to creditors.
3. The Bankruptcy Court erred in determining that the GUC Trust is a party who is responsible for paying statutory fees pursuant to 28 U.S.C. § 1930(a)(6).
4. The Bankruptcy Court erred in determining that a trust that holds all the assets of a debtor post-effective date and is the legal successor in interest to the debtor is legally indistinguishable from a trust established to receive a plan distribution on behalf of one class of creditors and is not the successor to the debtor who continue to exist as reorganized debtor.
5. The Bankruptcy Court erred in determining that the US Trustee is not seeking a double recovery on disbursements made by the Debtors to Class 5 Creditors.

² Capitalized terms not otherwise defined herein shall have the meaning ascribed to them in the *Second Amended Joint Plan of Reorganization of Careismatic Brands, LLC and Its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code (Further Technical Modifications)* (the “Plan”), attached as Exhibit A to the Confirmation Order.

Dated: June 7, 2024

PACHULSKI STANG ZIEHL & JONES LLP

/s/ Bradford J. Sandler

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